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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILLIAM ROBERT DIXON

**Plaintiff,**

VS.

15 ROBERT LEGRANDE, *et al.*,

## Defendants.

Case No. 13:cv-00586-RCJ-VPC

## ORDER

17 Plaintiff, who is in the custody of the Ohio Department of Rehabilitation and Correction, was  
18 previously in the custody of the Nevada Department of Corrections and has submitted a civil rights  
19 complaint pursuant to 42 U.S.C. § 1983. Based on the financial information provided, the court finds  
20 that plaintiff is unable to prepay the full filing fee in this matter. Therefore, his application to proceed  
21 *in forma pauperis* shall be granted.

22 Also before the court is plaintiff's motion to request authority from the court (#42). While not  
23 entirely clear, plaintiff appears to request an opportunity to prove count III of his complaint. However,  
24 plaintiff's complaint has yet to be served and defendants have not had an opportunity to file a  
25 responsive pleading. Accordingly, plaintiff's motion is denied as improper and premature.

**IT IS THEREFORE ORDERED** as follows:

1. Plaintiff's motion to request authority from the court (#42) is **DENIED**.

- 1 2. Plaintiff's application to proceed *in forma pauperis* (#31) is **GRANTED**; plaintiff shall  
2 not be required to pay an initial installment of the filing fee. In the event that this action  
3 is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).
- 4 3. The movant herein is permitted to maintain this action to conclusion without the  
5 necessity of prepayment of any additional fees or costs or the giving of security therefor.  
6 This order granting leave to proceed *in forma pauperis* shall not extend to the issuance  
7 of subpoenas at government expense.
- 8 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Ohio Department of Rehabilitation and  
9 Correction Toledo Correctional Institution shall pay to the Clerk of the United States  
10 District Court, District of Nevada, 333 Las Vegas Blvd S, Las Vegas, NV 89101, 20%  
11 of the preceding month's deposits to plaintiff's account (inmate #529-169), in the  
12 months that the account exceeds \$10.00, until the full \$350.00 filing fee has been paid  
13 for this action. The Clerk of the Court shall **SEND** a copy of this order to the Finance  
14 Division of the Clerk's Office. The Clerk shall also **SEND** a copy of this order to the  
15 attention of the Chief of Inmate Services for the Ohio Department of Rehabilitation and  
16 Correction Toledo Correctional Institution, P.O. Box 80033, 2001 East Central Avenue,  
17 Toledo, OH 43608.
- 18 5. The Clerk shall electronically **SERVE** a copy of this order and a copy of plaintiff's  
19 complaint on the Office of the Attorney General of the State of Nevada, attention Kat  
20 Howe.
- 21 6. Subject to the findings of the Screening Order, within **twenty-one (21) days** of the date  
22 of the entry of this order, the Attorney General's Office shall file a notice advising the  
23 court and plaintiff of: (a) the names of the defendants for whom it accepts service; (b)  
24 the names of the defendants for whom it does not accept service; and (c) the names of  
25 the defendants for whom it is filing last-known-address information under seal. As to  
26 any of the named defendants for whom the Attorney General's Office cannot accept  
27 service, the Office shall file, under seal, the last known address(es) of those defendant(s)  
28 for whom it has such information.

7. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a motion identifying the unserved defendant(s), requesting issuance of a summons, and specifying a full name and address for the defendant(s). As to any of the defendants for whom the Attorney General has not provided last-known-address information, plaintiff shall provide the full name and address for the defendant(s).
8. If the Attorney General accepts service of process for any named defendant(s), such defendant(s) shall file and serve an answer or other response to the complaint within **sixty (60) days** from the date of this order.
9. Henceforth, plaintiff shall serve upon defendant(s) or, if an appearance has been entered by counsel, upon their attorney(s), a copy of every pleading, motion or other document submitted for consideration by the court. Plaintiff shall include with the original paper submitted for filing a certificate stating the date that a true and correct copy of the document was mailed to the defendants or counsel for the defendants. If counsel has entered a notice of appearance, the plaintiff shall direct service to the individual attorney named in the notice of appearance, at the address stated therein. The court may disregard any paper received by a district judge or magistrate judge which has not been filed with the Clerk, and any paper received by a district judge, magistrate judge, or the Clerk which fails to include a certificate showing proper service.

## IT IS SO ORDERED.

Dated: March 24, 2015.

*J. Jones*  
UNITED STATES DISTRICT JUDGE